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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,844	03/30/2004	Jonathan J. Hull	20412-08497	6502
76137	7590	09/11/2009	EXAMINER	
RICOH/FENWICK			STEVENS, ROBERT	
SILICON VALLEY CENTER				
801 CALIFORNIA STREET			ART UNIT	PAPER NUMBER
MOUNTAIN VIEW, CA 94041			2162	
			NOTIFICATION DATE	DELIVERY MODE
			09/11/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/814,844	HULL ET AL.	
	Examiner	Art Unit	
	ROBERT STEVENS	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 June 2009.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6,8,10,12-22,25,27-29,31,33-41,44 and 45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6, 8,10,12-22,25,27-29,31,33-41,44 and 45 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :20090416A, 20090416B, 20090707, 20090820.

DETAILED ACTION

1. The Office withdraws the previous objection to the claims and the previous rejection of the claims under 35 USC §103(a), in light of the amendment. However, the Office sets forth new rejections of the claims under 35 USC §103(a), in light of the amendment. **This Action is NonFinal.**

Response to Arguments

2. Applicant's arguments, with respect to the previous rejection of the claim under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the Lowitz reference.

Also regarding the previous rejections of the claims under 35 USC 103(a), Applicant argues on page s 8-9 that the references do not teach "extracting ... features from ... time-based media using a feature extraction technique ...", asserts a "plain meaning" of feature extraction, and further argues that Klemmer does not specify "any manner of ... feature extraction technique".

The office respectfully disagrees, noting that the references as a whole teach the subject matter as claimed. First, at least the Klemmer reference is noted in the top right paragraph of page 92 as discussing the creation of MPEG-2 video and making JPEG thumbnails from video sources. Additionally, it is noted that there is no evidence on the record to support Applicants

asserted “plain meaning”. And, it is also noted that the claim language does not specify any particular manner of feature extraction.

Therefore, the references have been reasonably interpreted as teaching the recited claim language.

It is further noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-1333, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

The Office also notes MPEP § 2144.01, that quotes In re Preda, 401 F.2d 825, 159 USPQ 342, 344 (CCPA 1968) as stating "in considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." Further MPEP 2123, states that "a reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art, including nonpreferred embodiments. Merck & Co. v. Biocraft Laboratories, 874 F.2d 804, 10 USPQ2d 1843 (Fed. Cir.), cert. denied, 493 U.S. 975 (1989).

For at least these reasons, the Office asserts the rejections of the claims as set forth below.

Information Disclosure Statement

3. The information disclosure statement filed 8/20/2009 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

4. The information disclosure statement filed 4/16/2009 has been placed in the application file, but the information referred to therein has not been considered. It is unclear what reference Applicant is trying to have considered a reference number A72 (two reference numbers appear associated on the line for reference number A72).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-6, 8, 10, 12-22, 25, 27, 31, 33-41 and 44-45 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Scott R. Klemmer et al. (“Books With Voices: Paper Transcripts as a Tangible Interface to Oral Histories”, CHI 2003, Fort Lauderdale, FL, Apr. 5-10, 2003, pp. 89-96, hereafter referred to as “Klemmer”) in view of Graham et al. (US Patent No. 6,369,811, hereafter referred to as “Graham”) and Lowitz et al. (US Patent No. 5,485,554, hereafter referred to as “Lowitz”).

Regarding independent claim 1: Klemmer teaches *A computer system for generating a representation of time-based media, the system comprising: and generating a media representation of the time-based media that represents the extracted features;* (See Klemmer page 92 in the top paragraph of the right column discussing the creating of an MPEG-2 video from a video source. See Klemmer page 92 in the top paragraph of the right column discussing the making of corresponding JPEG thumbnails. Also, see Klemmer page 92 in the top paragraph of the right column discussing the creating of a paper layout from a time stamped transcript.)
wherein the formatted media representation includes a graphical representation of a timeline and a plurality of user-selectable identifiers indicating locations on the timeline corresponding to the extracted features. (See Klemmer page 91 in the last paragraph of the right column discussing the adding of time code information to the print format. See also page 92 Fig. 3 showing barcodes linking chronological sections of a book to A/V data and page 92 in the top paragraph of the right column discussing the creating of a paper layout from a time stamped transcript.)

However, Klemmer does not explicitly teach the remaining limitations as claimed.

Graham, though, discloses *and a printer communicatively coupled to the formatting module, the printer for: printing the formatted media representation,* (See Graham Fig. 4A #408 and col. 5 lines 32-50 teaching the printing of a paper reader's assistant document having an imprinted thumbnail and teaching additional information as being a "discussion" of user interests.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Graham for the benefit of Klemmer, because to do so allowed a designer to implement a mechanism to personalize a document for a particular user, as taught by Graham in the Abstract. These references were all applicable to the same field of endeavor, i.e., annotation of paper documents with electronic information.

Additionally, Klemmer does not explicitly teach the remaining limitations as claimed. Lowitz, though, teaches *a feature extraction module for: extracting, using a feature extraction technique, features from the time-based media, the feature extraction technique specified by a document format specification file;* (See Lowitz col. 4 line 57 – col. 5 line 7 discussing the use of a specification for trigger-based capture based upon exemplary features such as a time interrupt or a scene change.) *a formatting module communicatively coupled to the feature extraction module, the formatting module for: formatting the media representation according to layout parameters specified by the document format specification file;* (See Lowitz col. 12 lines 27-50 in the context of col. 11 lines 30-61 teaching the ability of a user to set formatting parameters for printable media.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Lowitz for the benefit of Klemmer in view of Graham, because to do so enabled a designer to implement a cost-effective, flexible device that is independent of the printer type for providing printable time-based media data, as taught by Lowitz in the Abstract. These references were all applicable to the same field of endeavor, i.e., translation services.

Regarding claim 2: Klemmer teaches *module further comprises content recognition software for recognizing features in the time-based media.* (See Klemmer page 92 in the top paragraph of the right column discussing the creating of an MPEG-2 video from a video source.)

Regarding claim 3: Klemmer does not explicitly teach the remaining limitations as claimed. Graham, though, discloses *processing logic for controlling a printer driver interface associated with the printer.* (See Graham col. 6 lines 4-7 discussing the use of Postscript printing.)

Regarding claim 4: Klemmer does not explicitly teach the remaining limitations as claimed. Graham, though, discloses *processing logic for controlling a printer console on the printer.* (See Graham col. 6 lines 4-7 discussing the use of Postscript printing.)

Regarding claim 5: Klemmer teaches *wherein the feature extraction module is further adapted to generate the media representation in digital format.* (See Klemmer page 92 in the top paragraph of the right column discussing the creating of an MPEG-2 video from a video source.)

Regarding claim 6: Klemmer teaches *wherein the feature extraction module is further adapted to generate the media representation in paper format.* (See Klemmer page 92 Fig. 3 and the top paragraph in the right column teaching a video paper system.)

Regarding claim 8: Klemmer teaches *wherein at least one of the user-selectable identifiers comprises a barcode printed on a document displaying the media representation.* (See Klemmer page 92 Fig. 3 showing the incorporation of barcodes on a video paper system document.)

Regarding claim 10: Klemmer teaches *wherein the barcode on the document can be scanned to play time-based media associated with the extracted features on a display device.* (See Klemmer page 89 Abstract and page 92 in the 1st paragraph under “Hardware” discussing barcode scanning and video playback.)

Regarding claim 12: Klemmer teaches *wherein the graphical representation includes audio content displayed as an audio waveform timeline.* (See Klemmer page 92 Fig. 3 showing barcodes associated with Voices augmented paper transcripts in the context of the bottom paragraph in the right column discussing the adding of barcodes to time code metadata information.)

Regarding claim 13: Klemmer teaches *wherein the timeline includes markers along its length that correspond to user-selected segments of the time-based media.* (See Klemmer page 92 Fig. 3 showing barcode markers associated with Voices augmented paper transcripts in the context of the bottom paragraph in the right column discussing the adding of barcodes to time code metadata information.)

Regarding claim 14: Klemmer teaches *wherein the timeline includes markers along its length that correspond to segments of audio content, the segments being defined by a search for particular features within the time-based media.* (See Klemmer page 92 Fig. 3 showing barcodes associated with Voices augmented paper transcripts in the context of the bottom paragraph in the right column discussing the adding of barcode markers to time code metadata information.)

Regarding claim 15: Klemmer teaches *wherein the timeline includes markers along its length that correspond to segments of media content, at least one of the markers having text information describing a corresponding segment of media content.* (See Klemmer page 92 Fig. 3 showing barcodes and associated textual passages.)

Regarding claim 16: Klemmer teaches *wherein the timeline includes markers along its length that each correspond to a segment of the time-based media, at least one of the markers having timestamp information describing the segment of the time-based media.* (See Klemmer page 92 Fig. 3 showing barcodes associated with Voices augmented paper transcripts in the context of the bottom paragraph in the right column discussing the adding of barcodes to time code metadata information.)

Regarding claim 17: Klemmer teaches *wherein the media representation includes a header describing the time-based media.* (See Klemmer page 91 bottom paragraph in the right column discussing the placement of metadata in a header.)

Regarding claim 18: Klemmer teaches *wherein the formatting module is further adapted to format the media representation is generated according to format specifications included in the document format specification file.* (See Klemmer page 92 top paragraph in the right column discussing the creation of a paper layout based upon a transcript.)

Regarding claim 19: Klemmer teaches *wherein the format specifications included in the document format specification comprise a number of user-definable fields specifying a format of a graphical representation of the time-based media.* (See Klemmer page 92 top paragraph in the right column discussing the creation of a paper layout based upon a transcript.)

Regarding claim 20: Klemmer teaches *wherein the format specifications included in the document format specification comprise a number of user-definable fields specifying a layout of the media representation.* (See Klemmer page 92 top paragraph in the right column discussing the creation of a paper layout based upon a transcript.)

Regarding claim 21: Klemmer teaches *wherein the format specifications included in the document format specification comprise a number of user-definable fields specifying the media content markers included in the media representation.* (See Klemmer page 92 top paragraph in the right column discussing the creation of a paper layout based upon a transcript.)

Regarding claim 22: Klemmer does not explicitly teach the remaining limitations as claimed. Lowitz, though, teaches *wherein the document format specification comprises a number of user-definable fields specifying the feature extraction techniques to apply to the time-based media.* (See Lowitz col. 12 lines 27-50 in the context of col. 11 lines 30-61 teaching the ability of a user to set formatting parameters for printable media.)

Regarding independent claim 25: Klemmer teaches *A method for generating a representation of time-based the method comprising: generating a media representation of the time-base media that represents the extracted features;* (See Klemmer page 92 in the top paragraph of the right column discussing the creating of an MPEG-2 video from a video source. Also, see Klemmer page 92 in the top paragraph of the right column discussing the making of corresponding JPEG thumbnails. See Klemmer page 92 in the top paragraph of the right column discussing the creating of a paper layout from a time stamped transcript.) *and wherein the formatted media representation includes a graphical representation of a timeline and a plurality of user-selectable identifiers indicating locations on the timeline corresponding to the extracted features.* (See Klemmer page 91 in the last paragraph of the right column discussing the adding of time code information to the print format. See also page 92 Fig. 3 showing barcodes linking chronological sections of a book to A/V data and page 92 in the top paragraph of the right column discussing the creating of a paper layout from a time stamped transcript.)

However, Klemmer does not explicitly teach the remaining limitations as claimed. Graham, though, discloses *printing the formatted media representation,* (See Graham Fig. 4A #408 and col. 5 lines 32-50 teaching the printing of a paper reader's assistant document having an imprinted thumbnail and teaching additional information as being a "discussion" of user interests.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Graham for the benefit of Klemmer, because to do so allowed a

designer to implement a mechanism to personalize a document for a particular user, as taught by Graham in the Abstract. These references were all applicable to the same field of endeavor, i.e., annotation of paper documents with electronic information.

Additionally, Klemmer does not explicitly teach the remaining limitations as claimed. Lowitz, though, teaches *extracting, using a feature extraction technique, features from the time-based media, the feature extraction technique specified by a document format specification file;* (See Lowitz col. 4 line 57 – col. 5 line 7 discussing the use of a specification for trigger-based capture based upon exemplary features such as a time interrupt or a scene change.) *formatting the media representation according to layout parameters specified by the document format specification file;* (See Lowitz col. 12 lines 27-50 in the context of col. 11 lines 30-61 teaching the ability of a user to set formatting parameters for printable media.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Lowitz for the benefit of Klemmer in view of Graham, because to do so enabled a designer to implement a cost-effective, flexible device that is independent of the printer type for providing printable time-based media data, as taught by Lowitz in the Abstract. These references were all applicable to the same field of endeavor, i.e., translation services.

Regarding claim 27: Klemmer does not explicitly teach the remaining limitations as claimed. Graham, though, discloses *wherein extracting features from the time-based media further comprises performing keyword searching on the time-based media.* (See Graham col. 7 lines 50-65 discussing the use of keywords and keyphrases.)

Regarding claim 31: Klemmer teaches *wherein the graphical representation includes audio content displayed as an audio waveform timeline.* (See Klemmer page 92 Fig. 3 showing text data displayed, the particular data chosen to display having been an obvious variant. See also page 92 Fig. 3 showing barcodes associated with Voices augmented paper transcripts in the context of the bottom paragraph in the right column discussing the adding of barcodes to time code metadata information.)

Regarding claim 33: Klemmer teaches *wherein at least one of the user-selectable identifiers comprises a barcode printed on a document displaying the formatted media representation.* (See Klemmer page 92 Fig. 3 showing barcodes printed on a video paper document.)

Regarding claim 34: Klemmer teaches *wherein the barcode on the document can be scanned to play time-based media associated with the extracted features on a display device.* (See Klemmer page 92 in the 1st paragraph in the right column under “Hardware” discussing the use of a barcode scanner.)

Regarding claim 35: Klemmer teaches *further comprising generating markers along the timeline, the markers corresponding to user-selected segments of the time-based media.* (See Klemmer page 92 Fig. 3 showing barcodes, in the context of page 91 in the bottom paragraph in the right column discussing the adding of time code metadata.)

Regarding claim 36: Klemmer teaches *further comprising generating markers along the timeline, at least one of the markers corresponding to features extracted from the time-based media.* (See Klemmer page 92 Fig. 3 showing barcodes associated with Voices augmented paper transcripts in the context of the bottom paragraph in the right column discussing the adding of barcode markers to time code metadata information.)

Regarding claim 37: Klemmer teaches *further comprising generating markers along the timeline, at least one of the markers including text information describing the time-based media.* (See Klemmer page 92 Fig. 3 showing barcodes and associated textual passages.)

Regarding claim 38: Klemmer teaches *further comprising generating markers along the timeline, at least one of the markers including timestamp information describing the time-based media.* (See Klemmer page 92 Fig. 3 showing barcodes associated with Voices augmented paper transcripts in the context of the bottom paragraph in the right column discussing the adding of barcodes to time code metadata information.)

Regarding claim 39: Klemmer teaches *wherein printing the formatted media representation further comprises printing a header describing the time-based media.* (See Klemmer page 91 bottom paragraph in the right column discussing the placement of metadata in a header.)

Regarding claim 40: Klemmer teaches *wherein printing the formatted media representation further comprises generating a representation in digital format.* (See Klemmer page 92 in the top paragraph of the right column discussing the creating of an MPEG-2 video from a video source.)

Regarding claim 41: Klemmer teaches *wherein printing the formatted media representation further comprises printing a representation in paper format.* (See Klemmer page 92 Fig. 3 showing “Books with Voices augmented paper transcripts”.)

Regarding claim 44: Klemmer teaches *further comprising applying a barcode generation algorithm to render a barcode image including identifier information.* (See Klemmer page 92 Fig. 3 showing barcodes that link to further information, it being implied that such information requires an identifier for the purposes of storing/locating that information.)

Regarding claim 45: Klemmer teaches *further comprising applying a barcode algorithm to render a barcode image including timestamp information.* (See Klemmer page 92

top paragraph in the right column discussing the creation of a paper layout based upon a transcript.)

7. **Claims 28-29 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Scott R. Klemmer et al. (“Books With Voices: Paper Transcripts as a Tangible Interface to Oral Histories”, CHI 2003, Fort Lauderdale, FL, Apr. 5-10, 2003, pp. 89-96, hereafter referred to as “Klemmer”) in view of Graham et al. (US Patent No. 6,369,811, filed Sep. 9, 1998 and issued Apr. 9, 2002, hereafter referred to as “Graham”), Lowitz et al. (US Patent No. 5,485,554, hereafter referred to as “Lowitz”) and Ponceleon et al. (US Patent Application Publication No. 2003/0187642, filed Mar. 29, 2002 and published Oct. 2, 2003, hereafter referred to as “Ponceleon”).

Regarding claim 28: Klemmer does not explicitly teach the remaining limitations as claimed. Ponceleon, though, discloses *wherein extracting features from the time-based media further comprises performing speech recognition on the time-based media.* (See Ponceleon Abstract and paragraph [0003] discussing the use of automatic speech recognition for discovering salient sections in a speech transcription.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Ponceleon for the benefit of Klemmer in view of Graham and Lowitz, because to do so enabled a designer to implement a system to automatically discover salient

segments in a speech transcript, as taught by Ponceleon in the Abstract. These references were all applicable to the same field of endeavor, i.e., automation of information retrieval.

Regarding claim 29: Klemmer does not explicitly teach the remaining limitations as claimed. Ponceleon, though, discloses *wherein extracting features from the time-based media further comprises performing event detection on the time-based media.* (See Ponceleon paragraph [0007] discussing the detection of events occurring in the news.)

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Non-Patent Literature

Srinivasan, Uma, et al., "Multi-modal Feature-Map: An Approach to Represent Digital Video Sequences", VISUAL '99, LNCS 1614, Springer-Verlag, Berlin, Germany, © 1999, pp. 299-306.

Mulhem, Philippe, et al., "Pivot Vector Space Approach for Audio-Video Mixing", IEEE Multimedia, Vol. 10, Issue 2, Apr-Jun 2003, pp. 28-40.

Tonomura, Yoshinobu, et al., "VideoMAP and VideoSpaceIcon: Tools for Anatomizing Video Content", INTERCHI '93, Apr. 24-29, 1993, pp. 131-136 and 544.

US Patent Application Publications

Bargeron et al 2004/0240562

US Patents

Klotz et al	5,682,540
Mochimaru et al	5,432,532
Hoda et al	4,831,610

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Stevens whose telephone number is (571) 272-4102. The examiner can normally be reached on M-F 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert Stevens/
Examiner
Art Unit 2162

September 6, 2009